

HOLME ROBERTS & OWEN LLP  
1700 Lincoln Street, Suite 4100  
Denver, Colorado 80203  
(303) 871-7000  
Bradford E. Dempsey (CO #30160) (*admitted pro hac vice*)

*Attorneys for Costello Maione Schuch Inc. dba  
CMS Innovative Consultants*

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

In re ) Chapter 11  
 )  
LEHMAN BROTHERS HOLDINGS INC. ) Case Nos. 08-13555-JMP  
*et al.* ) (Jointly Administered)  
Debtors. )  
)

**NOTICE PURSUANT TO 11 U.S.C § 546(b)**

Pursuant to 11 U.S.C. § 546(b), Costello Maione Schuch Inc. dba CMS Innovative Consultants (“CMS”), hereby gives notice to the Debtors, the United States Trustee, and all other parties in interest, of its intent to enforce mechanic’s liens for labor and materials performed and furnished and used in the improvement of the following properties, together with all applicable interest and attorneys’ fees as may be permitted by contract, statute or other applicable law:

ADDRESS	PROPERTY OWNER	DESCRIPTION	AMOUNT
<b>399 Park Avenue, NY, NY</b>  Block 1308, Lot 1101, County of New York, State of New York	BP 399 Park Avenue LLC and Boston Properties Limited Partners	Labor and materials for the improvement of the property	\$9,250.25
<b>3000 Sand Hill Road Building 3, Menlo Park, CA</b>	Ford Land Company	Labor and materials for the improvement of the property	\$1,710.00

<b>40 Corporate Place South, Piscataway, NJ 08854</b>  Block 497.1, Lot 9.04 and 10.01, Plate 43A, Township of Piscataway, County of Middlesex, State of NJ.	Corporate Park Associates (Owner)  and  Lehman Brothers Holdings, Inc. (Lessee)	Labor and materials for the improvement of the property	\$12,004.30
<b>10250 Constellation Boulevard, 24<sup>th</sup> Floor, Los Angeles, CA 90067</b>	JMB Realty Corporation  Constellation Place, LLC	Labor and materials for the improvement of the property	\$16,168.40
<b>190 South LaSalle Street Chicago, IL 60603</b>	SP4 190 S. LaSalle L.P.	Labor and materials for the improvement of the property	\$11,612.81
<b>6666 East 75th Street Indianapolis, IN 46250</b>	Stilwell Family Trust LLC  AJ Realty Co Heritage LLC  91 Beacon Street Trust	Labor and materials for the improvement of the property	\$3,260.90

Pursuant to 11 U.S.C. § 546(b), CMS hereby gives notice to perfect its interests in the properties described above, and all income, issues and profits of every nature derived therefrom, and further demand segregation and accounting or payment of the funds received from the property to the extent the Debtors are not already performing this function.

CMS reserves its rights under the Bankruptcy Code and applicable state laws to amend the amount of their claims.

Dated this 15th day of October, 2008.

By: /s/ Bradford E. Dempsey

Bradford E. Dempsey (CO #30160)

(admitted *pro hac vice*)

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CERTIFICATE OF SERVICE

I hereby certify that on October 15, 2008, a true and correct copy of the foregoing  
**NOTICE PURSUANT TO 11 U.S.C § 546(b)** was served to all parties receiving notice through  
CM/ECF, and that copies were placed in the United States Mail, postage pre-paid, addressed to  
the following:

Harvey R. Miller  
Weil Gotshal & Manges LLP  
767 Fifth Avenue  
New York, NY 10153

Jacqueline Marcus  
Weil Gotshal & Manges LLP  
767 Fifth Avenue  
New York, NY 10153

Shai Waisman  
Weil Gotshal & Manges LLP  
767 Fifth Avenue  
New York, NY 10153

United States Trustee  
33 Whitehall Street, 21<sup>st</sup> Floor  
New York, NY 10004

James W. Giddens, Trustee for the  
SIPA Liquidation of Lehman Brothers  
c/o Jeffrey S. Margolin  
Hughes Hubbard & Reed  
1 Battery Park Plaza  
New York, NY 10004

Epiq Bankruptcy Solutions, LLC  
Claims Agent  
757 Third Avenue, 3<sup>rd</sup> Floor  
New York, NY 10017

Official Committee of Unsecured Creditors  
c/o James Tecce  
Quinn Emanuel Urquhart Oliver & Hedges  
51 Madison Avenue, 22<sup>nd</sup> Floor  
New York, NY 10010

Dennis F. Dunne  
Milbank Tweed Hadley & McCloy LLP  
1 Chase Manhattan Plaza  
New York, NY 10005

Paul Aronzon  
Milbank Tweed Hadley & McCloy LLP  
601 S. Figueroa Street, 30<sup>th</sup> Floor  
Los Angeles, CA 90017

BP 399 Park Avenue, LLC  
Boston Properties, Inc.  
599 Lexington Avenue  
New York, New York 10022

Rock-Forty-Ninth, LLC  
c/o The Rockefeller Group  
1221 Avenue of the Americas  
New York, New York 10020

Corporate Park Associates  
10 Corporate Place South  
Piscataway, NJ 08854

JMB Realty Corporation  
900 North Michigan Avenue, Suite 1400  
Chicago, IL 60611

Constellation Place, LLC  
900 North Michigan Avenue, Suite 1400  
Chicago, IL 60611

Ford Land Company  
3000 Sand Hill Road  
Menlo Park, CA

SP4 190 S. LaSalle, L.P.  
190 S. La Salle Street  
Chicago, IL 60603

SP4 190 S. LaSalle, L.P.  
311 S. Wacker Drive  
Chicago, IL 60606

Stilwell Family Trust LLC  
60 Capanna Street  
Pismo Beach, CA 93449-2868

AJ Realty Co. Heritage LLC  
1954 Sherwood Gln.  
Bloomfield, MI 48302-1172

91 Beacon Street Trust – Heritag  
14 Greenwood Street  
Newton, MA 02459-2741

By: /s/Bradford E. Dempsey

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